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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,949	03/23/2004	Eric Edmond Petkus	GCSD-1571 (51393)	2846
74701 7590 04/28/2010 ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST 255 S ORANGE AVENUE SUITE 1401 ORLANDO, FL 32801				
EXAMINER				
OKEKE, EZUNNA				
ART UNIT		PAPER NUMBER		
2432				
NOTIFICATION DATE		DELIVERY MODE		
04/28/2010		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

creganoa@addmg.com

### Office Action Summary

**Application No.**

10/806,949

**Applicant(s)**

PETKUS ET AL.

**Examiner**

IZUNNA OKEKE

**Art Unit**

2432

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 and 18-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-16 and 18-35 have been considered and are persuasive. However, updating the search resulted in a discovery of new prior art necessitating new ground(s) of rejection. The delay in citation of the newly discovered prior art is regretted.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 8-10, 13, 19-21, 23, 27 and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dumont (EP 0891112), and further in view of Dhir et al. (US-7142557).

a. *Referring to claim 1, 13, 23 and 27:*

Regarding claim 1 and similar claims 13, 23 and 27, Dumont teaches a cryptographic device comprising: a cryptographic module and a communications module removably coupled thereto; said cryptographic module comprising a first housing (Page 5, Line 16 thru Page 6, Line 1 and Fig 1 and 2... module 1 and module 21.... cryptographic and communications module removably coupled together wherein the cryptographic module (module 21) comprises a first housing (housing 22)), a cryptographic processor carried by said first housing and coupled to said wired Ethernet user LAN interface (Page 6, Line 1-14.... Encryption/decryption unit), and a first connector carried by said first housing and coupled to said cryptographic processor (Page 6,

Line 7... connector 25); said communications module comprising a second housing, a second connector carried by said second housing and being removably mateable with said first connector of said cryptographic module (Page 5, Line 16-19, Page 6, Line 6-7 and Fig 1 and 2... communications module comprising second housing (casing 2) carrying connector 14 for being removable connected to connector 25 of cryptographic module) , and a network communications interface carried by said second housing and coupled to said second connector (Page 4, Line 19-22.... transmission and receiving unit carried by the second housing).

Dumont teaches the cryptographic housing having a service connector 30 at one of its end for other network device connections (See Page 7, Line 9-15 and Fig 1... service connector 30) but Dumont does not explicitly teach this service connector as wired LAN interface. However, communication devices with a cryptographic module having a wired LAN interface for physical connection of network devices is well known in the art. For instance, Dhir discloses a network device having a communications unit and a cryptographic unit wherein the cryptographic unit housing has a LAN host interface for connecting network devices for the transmission (as well as encryption/decryption) of data (See Dhir, Fig 8, Host Device interface 322 and Col 8, Line 12-21). Therefore, one of ordinary skill would be motivated to modify Dumont's service connector 30 into a LAN interface as taught by Dhir for the purpose of using Dumont's modular mobile device to provide data services (like the access point of Dhir) for other network devices.

a. Referring to claim 8, 19 and 32:

Regarding claim 8 and similar claims 19 and 32, the combination of Dumont and Dhir teaches the cryptographic device of Claim 1 wherein said cryptographic processor implements an

encryption algorithm to provide a predetermined security level (Page 6, Line 2-3... encryption/decryption to provide security).

a. Referring to claim 9, 20 and 33:

Regarding claim 9 and similar claims 20 and 33, the combination of Dumont and Dhir teaches the cryptographic device of Claim 1 wherein said cryptographic processor comprises: a host network processor coupled to said user network interface; and a cryptography circuit coupled to said host network processor (Fig 1 and Page 7, Line 5-8.... cryptographic module comprising service connector).

a. Referring to claim 10, 21 and 34:

Regarding claim 10 and similar claims 21 and 34, the combination of Dumont and Dhir teaches the cryptographic device of Claim 9 wherein said cryptographic processor further comprises: an encrypted data buffer circuit coupled between said wired Ethernet user LAN interface and said cryptography circuit; and an unencrypted data buffer circuit coupled between said cryptography circuit and said network communications interface (Page 8 and 9.... data storage buffer for receiving unencrypted communications data and another buffer for the data after it has been encrypted).

**4. Claims 2-6, 14-16, 24-26 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dumont (EP 0891112) and Dhir et al. (US-7142557) and further in view of Jones et al. (US-7633909).**

a. Referring to claims 2-6, 14-16, 24-26 and 28-30:

Regarding claims 2 and related claims 3-6, 14-16, 24-26 and 28-30, Dumont and Dhir teaches the modular device of claim 1 having a first cryptographic housing and a second

communication housing wherein the cryptographic housing has a LAN interface for connection to a network device and the communication housing has a wireless radio transmission unit for communication. Dumont does not teach the communication unit having a plurality of communication modules or interfaces for communicating over different communication media such as wired, wireless and fiber optic media. However, network communication devices such as access points having a plurality of communication modules are well known in the art. For instance, Jones discloses an access point having multiple communication modules (See Jones, Col 5, Line 37-50) such as wireless, wired and fiber optic interfaces for communicating with these networks. Therefore, one of ordinary skill would have been motivated to modify Dumont's communication housing to have multiple communication modules such wired, wireless and fiber optic modules as disclosed by Jones for the purpose of using the modular device of Dumont as a secure access point in different communication networks.

**5. Claims 7, 11, 12, 18, 22, 31 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dumont (EP 0891112) and Dhir et al. (US-7142557), and further in view of Dellmo et al (US-20020095594).**

a. Referring to claim 11:

Regarding claim 1, Dumont and Dhir teaches the cryptographic device of Claim 1. Dumont does not teach the encryption module comprising a tamper circuit for disabling said cryptographic processor based upon tampering. However, Dellmo teaches a cryptographic device comprising a tamper circuit for disabling said cryptographic processor based upon tampering (See Dellmo, Para 13). Therefore, it would have been obvious to one of ordinary skill to modify

Dumont's encryption module to comprise a tamper circuit for protecting the encryption module and disabling the module to prevent malicious individuals from compromising the module.

a. Referring to claims 12, 22 and 35:

Regarding claim 11 and similar claims 22 and 35, the combination of Dumont, Dhir and Dellmo teaches the cryptographic device of Claim 11 wherein said tamper circuit comprises at least one conductor substantially surrounding said cryptographic processor, and wherein said cryptographic processor is disabled based upon a break in said at least one conductor (See Dellmo, Para 57 and 58..... tamper switch clips).

a. Referring to claim 7, 18 and 31:

Regarding claim 7 and similar claims 18 and 31, the combination of Dumont, Dhir and Dellmo teaches the cryptographic device of Claim 1 further comprising a power circuit carried by said first housing and powering said cryptographic processor, said wired Ethernet user LAN interface, and said communications module (See Dellmo, Col 5, Line 20-26).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IZUNNA OKEKE whose telephone number is (571)270-3854. The examiner can normally be reached on 9:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/IZUNNA OKEKE/  
Examiner, Art Unit 2432

/Gilberto Barron Jr./  
Supervisory Patent Examiner, Art Unit 2432